

01/22/2014


 Form PTO-1594 (Rev. 12-11)
 OMB Collection 0651-0027 (exp. 1

 U.S. DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office

103665572

 RECORDATION FORM COVER SHEET
TRADEMARKS ONLY


To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

Gary E. Miller

- ☒ Individual(s) ☐ Association
☐ Partnership ☐ Limited Partnership
☐ Corporation- State: _____
☐ Other _____

Citizenship (see guidelines) United States of AmericaAdditional names of conveying parties attached? ☐ Yes ☒ No**3. Nature of conveyance/Execution Date(s) :**Execution Date(s) January 6, 2014

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Court Order (see attached)

2. Name and address of receiving party(ies)
 Additional names, addresses, or citizenship attached? ☐ Yes ☒ No
Name: Citizens Bank & Trust, Hutchinson, Minn.Street Address: 102 Main Street SouthCity: HutchinsonState: MinnesotaCountry: United States of America Zip: 55350

- ☐ Individual(s) Citizenship _____
☐ Association Citizenship _____
☐ Partnership Citizenship _____
☐ Limited Partnership Citizenship _____
☒ Corporation Citizenship State of Minnesota
☐ Other _____ Citizenship _____

 If assignee is not domiciled in the United States, a domestic
 representative designation is attached: ☐ Yes ☐ No
 (Designations must be a separate document from assignment)
4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s) _____ Text _____

B. Trademark Registration No.(s) _____

2987920

Additional sheet(s) attached? ☐ Yes ☒ No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

SHARPS FREE; Serial No. 76574168

5. Name & address of party to whom correspondence concerning document should be mailed:Name: Justin P. Weinberg, GISLASON & HUNTER LLP

Internal Address: _____

Street Address: 2700 South Broadway, P.O. Box 458City: New UlmState: Minnesota Zip: 56073Phone Number: 507-354-3111 FAX: 507-354-8447Docket Number: N/AEmail Address: jweinberg@gislason.com**6. Total number of applications and registrations involved:**

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$40.00

- ☐ Authorized to be charged to deposit account
☒ Enclosed

8. Payment Information:Deposit Account Number N/A

01/23/2014 KNUYEN1 00000026 2987920

Authorized User Name N/A

01 FC:8521

48 00 00

9. Signature:

Justin P. Weinberg

Name of Person Signing

January 13, 2014

Date

Total number of pages including cover sheet, attachments, and document:

7

 Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
 Mail Stop Assignment Recordation Branch, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK
REEL: 005195 FRAME: 0639

ATTACHMENT TO FORM PTO-1594
RE: RECORDATION FORM COVER SHEET, TRADEMARKS ONLY

Re: Paragraph 3, "Other: Court Order (see attached)"

1. Attached for recording please find a certified copy of an Order Re: Summary Judgment issued by the Minnesota District Court for McLeod County on January 6, 2014. Paragraph 6 of this Order states that the Bank (meaning the receiving party Citizens Bank & Trust, Hutchinson, Minn.) "shall have immediate possession of . . . the United States Trademark Registration No. 2,987,920, Serial No. 76574168 "Sharps Fee" [sic], registered August 23, 2005, including all products and proceeds thereof."

2. Also attached for recording please find a copy of a UCC Financing Statement and filing confirmation in the State of Minnesota's Secretary of State's Office, regarding the above-described trademark.

3. Accordingly, please record a conveyance and assignment of the trademark to the Bank.

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF MCLEOD

FIRST JUDICIAL DISTRICT

Case Type: Mortgage Foreclosure

Court File No.: 43-CV-13-1165

Citizens Bank & Trust Co.,
Hutchinson, Minn.,

Plaintiff,

vs.

Micronics Technologies, Inc.,
Gary E. Miller, Sylvia G. Miller
and the United States of America,
by and through its Agent, Internal
Revenue Service, John Doe, Mary
Rowe and ABC Corporation,

Defendants.

STATE OF MINNESOTA COUNTY OF MCLEOD
CERTIFIED TO BE A TRUE AND CORRECT COPY
OF THE OFFICIAL VERSION OF THE COURT RECORD

DATED

1-14-14
KAREN V. MESSNER

COURT ADMINISTRATOR

BY

Denise Ostrop
DEPUTY

ORDER RE: SUMMARY JUDGMENT

This matter came before the undersigned on the 6th day of January, 2014, on the Motion of Plaintiff Citizens Bank & Trust Co., Hutchinson, Minn. (the "Bank"), for summary judgment or, alternatively, to compel discovery. Appearances were noted of record. After considering the Bank's Motion, Affidavit, and Exhibits, together with all the files, records, and proceedings herein, IT IS HEREBY ORDERED:¹

1. The Bank's Motion for Summary Judgment is **GRANTED**.
2. Judgment in the amount of \$1,071,990.53 shall be entered in favor of the Bank and against Micronics and the Millers, jointly and severally, for (1) the Indebtedness due and owing under the Forbearance Agreement, the IP Security Agreement, and the Loan Documents

¹ All defined terms herein have the same meanings as defined in the Bank's Amended Complaint, dated August 13, 2013.

as of November 15, 2013; (2) the Bank's damages in paying property taxes and property insurance on the 2013 Property, and (3) the Bank's attorneys' fees, costs, and disbursements which have been incurred through November 27th, 2013, and in connection with its Motion for Summary Judgment; and (4) which judgment shall include all further late charges, interest, default interest, attorneys' fees, costs, expenses, and other charges and fees that have accrued and will continue to accrue in connection with the Forbearance Agreement and Loan Documents and the defaults thereunder (both before and after the entry of judgment).

3. The Bank, at its option, shall be entitled to receive any rental proceeds from the 2013 Property without the appointment of a receiver and apply the proceeds as provided for in the Loan Documents and Minnesota Statutes.

4. The Bank is granted a decree of foreclosure, under the 2013 Mortgage, and the 2013 Property, legally described as:

Lots Eleven (11) and Twelve (12) in Block Three (3), rearrangement of Blocks 1, 2, 3, & 4 of Glen Knoll Park according to the plat thereof on file and of record in the office of the Registrar of Titles, McLeod County, Minnesota (commonly known as 1304 Fir Avenue, Glencoe, Minnesota)

shall be sold by the Sheriff of McLeod County in the manner prescribed by law; the proceeds of said sale shall be applied, first, to the payment of costs and disbursements of said sale and, second, to the principal of said judgment; and the purchaser of said sale or assigns, if no redemption therefrom be made within the period fixed by a statute therefore, shall be decreed to be the absolute owner of the 2013 Property purchased at said sale.

5. The mortgage lien of the Bank is adjudged to be prior, paramount and superior to all other subsequent liens or interest on, in, or against the 2013 Property, and all Defendants named herein shall be barred and foreclosed from any equity of redemption, equity, lien or

interest in the 2013 Property, except the right to redeem from said foreclosure sale as provided by statutes.

6. The Bank shall have immediate possession of the Vehicles, the 3165 Collateral, the United States Patent No. 5,741,230, issued April 21, 1998, including all products and proceeds thereof, and the United States Trademark Registration No. 2,987,920, Serial No. 76574168 "Sharps Fee", registered August 23, 2005, including all products and proceeds thereof, and the Bank shall be entitled to dispose of said Collateral in the manner prescribed by the Minnesota Uniform Commercial Code and/or other applicable law.

7. The Bank shall be entitled to a judgment against the Millers and Micronics, jointly and severally, for any deficiency which shall remain after applying the proceeds from the sale of the 2013 Property and the above-described Collateral, if any, to the amount adjudged to be due and owing from the Millers and Micronics, jointly and severally, arising under the Indebtedness under the Forbearance Agreement and the Loan Documents.

8. Because the Bank's Motion for Summary Judgment has been granted as set forth above, the Court need not consider or make any orders regarding the Bank's alternative motion to compel discovery.

Dated this 6th day of JANUARY, 2014.

BY THE COURT:

JUDGMENT
The foregoing shall constitute the judgement
of the Court

Entered: 1-6-14 Karen V. Messner
Court Administrator
By Denise Ostroff
Deputy

M. Michael Bayler
Honorable Judge of District Court

FILED

JAN 6 2014

1469754.1

COUNT ADMINISTRATOR
MILLER COUNTY, MN

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER (optional)	
Justin P. Weinberg	
B. SEND ACKNOWLEDGMENT TO: (Name and Address)	
GISLASON & HUNTER LLP Justin P. Weinberg 2700 South Broadway New Ulm, MN 56073	

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names					
1a. ORGANIZATION'S NAME					
OR					
1b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE NAME	
Miller		Gary		E.	
1c. MAILING ADDRESS		CITY		STATE	
7025 County Road 6		Maple Plain		MN	
2d. SEE INSTRUCTIONS		2e. TYPE OF ORGANIZATION		2f. JURISDICTION OF ORGANIZATION	
ADD'L INFO RE ORGANIZATION DEBTOR				2g. ORGANIZATIONAL ID #, if any	
				55359	
				USA	
2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names					
2a. ORGANIZATION'S NAME					
OR					
2b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE NAME	
2c. MAILING ADDRESS		CITY		STATE	
				POSTAL CODE	
				COUNTRY	
2d. SEE INSTRUCTIONS		2e. TYPE OF ORGANIZATION		2f. JURISDICTION OF ORGANIZATION	
ADD'L INFO RE ORGANIZATION DEBTOR				2g. ORGANIZATIONAL ID #, if any	
				NONE	
3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE or ASSIGNOR SP) - insert only one secured party name (3a or 3b)					
3a. ORGANIZATION'S NAME					
OR					
3b. INDIVIDUAL'S LAST NAME		FIRST NAME		MIDDLE NAME	
Citizens Bank & Trust Co., Hutchinson, Minn.					
3c. MAILING ADDRESS		CITY		STATE	
102 Main Street South		Hutchinson		MN	
				POSTAL CODE	
				COUNTRY	
				55350	
				USA	

4. This FINANCING STATEMENT covers the following collateral:
United States Patent No. 5,741,230, issued April 21, 1998, including all products and proceeds thereof.

United States Trademark Registration No. 2,987,920, Serial No. 76574168, "Sharps Free", Registered August 23, 2005, including all products and proceeds thereof.

5. ALTERNATIVE DESIGNATION (if applicable)		LESSEE/LESSOR	CONSIGNEE/CONSIGNOR	BAILEE/BAIOLR	SELLER/BUYER	AG. LIEN	NON-UCC FILING
6. This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS. Attach Addendum (if applicable)		7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) (ADDITIONAL FEE) (optional)		All Debtors		Debtor 1	Debtor 2
8. OPTIONAL FILER REFERENCE DATA							

FILING OFFICE COPY — UCC FINANCING STATEMENT (FORM UCC1) (REV. 05/22/02)

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